

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 819

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Rodolpho "Rudy" S. Martinez

AN ACT

RELATING TO MUNICIPALITIES; CLARIFYING THE NOMINATION AND
CONFIRMATION OF CERTAIN MUNICIPAL OFFICIALS; PROVIDING FOR
CERTAIN ACTIONS AT AN ORGANIZATIONAL MEETING OF A MUNICIPAL
GOVERNING BODY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 3-11-5 NMSA 1978 (being Laws 1965,
Chapter 300, Section 14-10-5, as amended) is amended to read:

"3-11-5. MAYOR--APPOINTMENT OF OFFICERS AFTER ELECTION.--

A. At the organizational meeting of the governing
body ~~[which]~~ following the election of a mayor, which meeting
shall be scheduled pursuant to Section 3-8-33 NMSA 1978 of the
Municipal Election Code, the mayor ~~[shall submit]~~ may nominate,
for confirmation by the governing body, ~~[the names of]~~ persons
who shall fill the appointive and exempt offices of the

underscoring material = new
~~[bracketed material] = delete~~

underscored material = new
[bracketed material] = delete

1 ~~municipality [and the names of persons who shall be employed by~~
2 ~~the municipality]~~. If the governing body fails to confirm any
3 person as an appointive ~~[official or employee of the~~
4 ~~municipality, the mayor at the next regular meeting of the~~
5 ~~governing body shall submit the name of another person to fill~~
6 ~~the appointed office or to be employed by the municipality.~~

7 ~~B. Any person holding an appointed office at the~~
8 ~~time of the municipal election shall continue in that office~~
9 ~~until his successor has been appointed and is qualified] or~~
10 exempt official, that person shall not assume the appointive or
11 exempt office to which the person was nominated. If the
12 governing body fails to confirm a nomination, the mayor may
13 make additional nominations to fill appointive or exempt
14 offices subject to confirmation by the governing body.

15 B. At the organizational meeting, the governing
16 body may:

- 17 (1) organize itself into committees;
18 (2) elect a mayor pro tempore; and
19 (3) otherwise act within its powers to
20 organize itself."